In the High Court of Judicature for Rajasthan
At
Jaipur Bench, Jaipur

O R D E R

In

S.B. Criminal Misc. Bail Application No.7392/2006
Chaitendra Singh Vs. State of Rajasthan

Date Of Order :: 1st December, 2006

Hon'ble Mr. Justice Jitendra Ray Goyal

Mr. Pankaj Gupta, counsel for petitioner.
Mr. R.P. Kuldeep, Public Prosecutor for State.
Mr. Sunit Awasthi, counsel for complainant.

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Heard learned counsel for accused petitioner as well as complainant, learned Public Prosecutor for the State, perused the case diary and other material produced during the course of arguments.

It is contended on behalf of the accused petitioner that he has falsely been implicated in this case and a cross FIR has also been lodged in this matter. It is also submitted that the complainant party kidnapped/abducted the accused petitioner and kept him in wrongful confinement and they inflicted injuries on his head by sharp edged weapon and he also sustained one grievous injury on his shoulder, he was compelled to call his father at the spot. It is also submitted that even according to the prosecution case no overt-act has been assigned to the accused petitioner and gun shot injuries on the non-vital part of the body of injured

persons which were simple in nature were ascribed to co-accused Ranjeet Singh who has been arrested and released on bail. It is also submitted that police got him released from the clutches of the complainant party and admitted him in the hospital.

Learned Public Prosecutor and counsel appearing for the complainant opposed the bail application and contended that at the instance of the accused petitioner this incident took place and he was present at the spot and having common intention.

Without making any observations on merits, having considered the rival submissions made at the bar, nature of accusation, material on record, all other facts and circumstances and also keeping in view that cross FIR has also been registered, the accused petitioner sustained simple and grievous injuries, no specific overt-act has been assigned to the accused petitioner and fire arm injuries were ascribed to co-accused Ranjeet Singh which were caused to Baldev and Ramchandra on their legs which were found to be simple in nature, I deem it proper to grant the benefit of pre-arrest bail to accused petitioner Chaitendra Singh.

In the result, the bail application is allowed and it is directed that in the event of arrest of petitioner Chaitendra Singh S/o. Ranjeet Singh, he shall be released on bail by the concerned

SHO/Investigating Officer in FIR No.90/2006 registered at Police Station Rupangarh, District Ajmer provided he furnishes a personal bond in the sum of Rs.10,000/- together with two sureties each in the sum of Rs.5,000/- to the satisfaction of the concerned SHO/Investigating Officer on the following conditions :-

1. that he shall make himself available for interrogation by a police officer as and when required;
2. that he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or any police officer; and
3. that he shall not leave India without previous permission of the Court.

(J.R. Goyal),J

VS Shekhawat/-
Jr. P.A.